IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2442 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

ANSUL KANAIYALAL GANDHI

Versus

REGIONAL PASSPORT OFFICER

Appearance:

MR MURALI N DEVNANI for Petitioner

MS PAURAMI SHETH FOR MR AKSHAY H MEHTA

Sr. Central Govt. Standing counsel for Respondent No. 1

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 11/04/2001

ORAL JUDGEMENT

Rule. Ms. Paurami Sheth for Mr. Akshay H. Mehta Sr. . Central Govt. Standing Counsel appears on behalf of the respondent and she waives service of rule on behalf of the respondent.

2. This petition has been filed for a direction to the respondent authority to correct the date of birth of the petitioner as 21-11-1977 instead of 27-11-1977, in the passport. It is stated by the petitioner that the correct date of birth of the petitioner is 21-11-1977 as mentioned in the birth certificate as well as school leaving certificate. But due to some inadvertence the date of birth of the petitioner is wrongly mentioned as 27-11-1977.

3. The petitioner has already moved an application on 19-12-2000 before the respondent authority concerned for correction of the birth date in the passport. Thereafter, the petitioner also made another representation on 2-4-2001 for the same purpose. But the respondent authority has not responded and has not entertained the applications of the petitioner and informed the petitioner that it has no power or authority to make such correction in the birth date of the petitioner unless and until some order is passed by the Court of Law.

3. In the facts and circumstances of this case, this application is being disposed of finally and the respondent authority concerned is directed to entertain, consider and decide the applications including the application dated 2-4--2001 filed by the petitioner in accordance with law and make correction with regard to the date of birth of the petitioner as 21-11-1977 in place of 27-11-1977, in the passport on the basis of birth certificate and school leaving certificate and to issue the passport with correct date of birth of the petitioner as 21-11-1977, within four weeks from the date of receipt of writ of this Court or certified copy of this order whichever is earlier. The respondent authority will be at liberty to pass appropriate order with regard to the costs of these proceedings.

4. With the above directions and observations, this petition is disposed of. Rule is discharged.

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/JVSatwara/